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SUMMARY RECORD OF THE 43rd MEETING

Chairman: Mr. HADID (Algeria)

Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. MSELLE

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The meeting was called to order at 7.30 p.m.

AGENDA ITEM 123: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1994-1995 (continued)

1. The CHAIRMAN drew the Committee's attention to two letters which he had received from the Chairman of the Second Committee, one dated 10 December 1993 regarding the funding of the United Nations contribution to the financing of the activities of Non-governmental Liaison Services (A/C.5/48/51), and the other dated 14 December 1993 relating to the Second Committee's recommendation that the General Assembly should adopt the draft resolution contained in the annex to decision 2/4 of the Intergovernmental Negotiating Committee for the Elaboration of an International Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa (A/48/226/Add.1), in which the Chairman of the Second Committee invited the Fifth Committee to take fully into account the provisions of that draft resolution when it considered the recommendation of the Advisory Committee on Administrative and Budgetary Questions contained in paragraph V.II of document A/48/7 (A/C.5/48/60). He also referred to a letter addressed to the President of the General Assembly by the President of the Executive Board of the United Nations Development Programme (UNDP) regarding a recommendation made by the Executive Board to postpone until 1 January 1995 the integration of the Office for Project Services of UNDP in the Department for Development and Support Management Services.

Programme budget implications of draft resolutions A/48/L.41, A/48/L.42 and A/48/L.43 concerning agenda item 35 (A/C.5/48/43)

2. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that paragraphs 4 to 6 of the statements submitted by the Secretary-General indicated that provision had already been made in the proposed programme budget for the resources required to implement the mandates contained in the draft resolutions, namely, to keep under review the situation regarding the question of Palestine and to continue to promote the exercise of the inalienable rights of the Palestinian people, to provide the Division for Palestinian Rights with the resources it needed and to request the Department of Public Information to disseminate information on the question of Palestine. Accordingly, should the three draft resolutions be adopted, no additional appropriation would be required under the programme budget for the biennium 1994-1995.

3. Mr. BARIMANI (Islamic Republic of Iran), Chairman of the Committee on Conferences, referring to the proposed programme of meetings for 1994-1995 in connection with the question of Palestine, said that, in accordance with paragraph 6 of General Assembly resolution 35/10 A of 3 November 1980, and with the procedures adopted by the Committee on Conferences, that Committee had been informed that the Committee on the Exercise of the Inalienable Rights of the Palestinian People would undertake an expanded programme of work which, for the biennium, would consist of 20 meetings, of which 14 would be held away from

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official Headquarters at New York - 8 in 1994 and 6 in 1995. That programme of work represented a departure from section 1, paragraph 4, of General Assembly resolution 40/243, of 18 December 1985, and the Committee on Conferences therefore recommended that the General Assembly should grant an exception authorizing the Committee on the Exercise of the Inalienable Rights of the Palestinian People to hold the meetings away from its established Headquarters. The Committee on Conferences also noted that the Secretariat would endeavour to combine meetings, in order to achieve savings, and wished to encourage the Division and the Committee on the Exercise of the Inalienable Rights of the Palestinian People to seek every opportunity to maximize savings, and to make efforts to secure invitations and agreements from host Governments, to the extent possible, in accordance with paragraph 5 of resolution 40/243, in order to defray the actual additional costs directly or indirectly involved.

4. The CHAIRMAN proposed that, on the basis of the statement of programme budget implications of draft resolutions A/48/L.41, A/48/L.42 and A/48/L.43 and the recommendations of the Advisory Committee the Fifth Committee should inform the General Assembly that, should it adopt the draft resolutions, no additional appropriations would be required under sections 3A, 3C, 24 or 25E of the proposed programme budget for the biennium 1994-1995. However, the General Assembly would have to approve an exception to the provisions of its resolution 40/243 of 18 December 1985, under which all United Nations bodies were required to meet at their established headquarters, in respect of the meetings that would be held away from the established headquarters of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

5. It was so decided.

Programme budget implications of draft resolution A/48/L.21/Rev.1 concerning agenda item 40 (A/C.5/48/50)

6. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that under the draft resolution the General Assembly would ask the Secretary-General to continue to use his good offices to promote a firm and lasting peace in Central America. In 1992-1993 two temporary posts had been available, one at the P-5 level and another in the General Service category, to provide the Secretary-General with the necessary assistance. The Advisory Committee agreed with the request for an additional temporary post at the P-4 level. Should the General Assembly adopt the draft resolution, additional appropriations of $332,200 would be required under section 4 of the proposed programme budget for the biennium 1994-1995, together with an amount of $78,100 under section 28, to be offset by the same amount under income section 1.

7. The CHAIRMAN proposed that, on the basis of the statement of programme budget implications of draft resolution A/48/L.21/Rev.1 submitted by the Secretary-General and the recommendations of the Advisory Committee the Fifth Committee should inform the General Assembly that, should it adopt the draft resolution, an additional appropriation of $332,200 would be required under

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section 4 of the proposed programme budget for the biennium 1994-1995, Peace-keeping operations and special missions, in addition to an amount of $78,100 under section 28 (Staff assessment), to be offset by the same amount under income section 1 (Income from staff assessment).

8. It was so decided.

Programme budget implications of draft resolution A/48/L.33 concerning agenda item 56 (A/C.5/48/54)

9. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Secretary-General, in paragraph 5 of his statement of programme budget implications, indicated that the strengthening of the secretariat of the Economic and Social Council would be undertaken in the context of the overall restructuring process of the Secretariat from within the resources of section 8, Department for Policy Coordination and Sustainable Development, of the proposed programme budget for the biennium 1994-1995, thus obviating the need for additional resources. The Advisory Committee drew the attention of the Fifth Committee to paragraph 4 of the statement. In that connection the Secretary-General, UNDP, UNICEF and UNFPA should consider the question of the additional facilities that might be needed pursuant to the draft resolution under consideration and should report thereon to the General Assembly through ACABQ. The Advisory Committee wished to draw particular attention to the final sentence of paragraph 4, which indicated that the construction of new facilities must follow the procedures in force for the submission of proposals for construction projects. Lastly, the Advisory Committee was of the view that there should be no change in its role vis-à-vis UNDP, UNICEF and UNFPA.

10. The CHAIRMAN proposed that, on the basis of the statement of programme budget implications of draft resolution A/48/L.33 submitted by the Secretary-General and the recommendations of the Advisory Committee, the Fifth Committee should inform the General Assembly that, should it adopt the draft resolution, no additional appropriations would be required under the proposed programme budget for the biennium 1994-1995. The Secretary-General and the Executive Directors of UNDP, UNICEF and UNFPA would have to consider the question of the additional facilities that would be required and the Secretary-General would report back to the General Assembly, through the Advisory Committee.

11. It was so decided.

Programme budget implications of draft resolutions A/48/L.29, A/48/L.30 and A/48/L.31/Rev.1 concerning agenda item 38 (A/C.5/48/59)

12. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the changes in the level of resources requested reflected recent developments in South Africa. In particular, in paragraph 17 of the Secretary-General's statement it was proposed that the balance of the provision of $690,000 at its 1992-1993 level for the special allocation of the

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Special Committee contained in the 1994-1995 proposed programme budget should be relinquished. The Advisory Committee was recommending adoption of the draft resolutions, which would not give rise to any additional appropriation.

13. The CHAIRMAN proposed that, on the basis of the statement of programme budget implications submitted by the Secretary-General, and the recommendations of the Advisory Committee, the Fifth Committee should inform the General Assembly that, should it adopt draft resolutions A/48/L.29, A/48/L.30 and A/48/L.31/Rev.1, no additional appropriation would be required under the relevant sections of the proposed programme budget for the biennium 1994-1995 and also that there would be a reduction of $690,000 under section 3.

14. It was so decided.

Programme budget implications of draft decisions A/C.2/48/L.50/Rev.1, A/C.2/48/L.51/Rev.1, A/C.2/48/L.52/Rev.1 and A/C.2/48/L.53/Rev.1 concerning agenda item 12 (A/C.5/48/53)

15. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that under the terms of draft decision A/C.2/48/L.51/Rev.1 the General Assembly would decide to endorse Economic and Social Council resolution 1993/68, of 30 July 1993, relating to the African Institute for Economic Development and Planning, adoption of which would result in the provision of additional resources for the Institute. The General Assembly, under section 15 of the proposed programme budget for the biennium 1994-1995, had already made provision for a grant of $942,400 for the Institute to cover the cost of four posts in the Professional and higher categories. Accordingly adoption of the draft decision would not give rise to any additional appropriation. However, adoption of draft decision A/C.2/48/L.52/Rev.1, by which the General Assembly would endorse Economic and Social Council resolution 1993/66, of 30 July 1993, relating to the Second Transport and Communications Decade in Africa, would give rise to an additional appropriation of $175,100. The Advisory Committee was recommending adoption of the two draft decisions.

16. Mr. KELLER (United States of America) said he wished to place on record his delegation's view that, since the amount of $175,100 related to travel and communications costs in connection with the holding of seminars in various African countries, it would have been preferable for the amount to be absorbed by the host countries, if only in part, in view of the fact that the seminars were of great interest to private enterprises or prosperous State-owned enterprises of such countries. Moreover, the resources required could have been taken from the $942,400 that was allocated for the African Institute for Economic Development and Planning, which would have helped to make the Institute less dependent on the United Nations.

17. The CHAIRMAN proposed that, on the basis of the statement of programme budget implications submitted by the Secretary-General and the recommendations of the Advisory Committee, the Fifth Committee should inform the General Assembly that, should it adopt draft decisions A/C.2/48/L.50/Rev.1, A/C.2/48/L.51/Rev.1 and A/C.2/48/L.53/Rev.1, no additional appropriations would be required under the proposed programme budget for the biennium 1994-1995. He further proposed that the Committee should inform the General Assembly that, should it adopt draft decision A/C.2/48/L.52/Rev.1, the narrative of the programme of work in paragraph 13 of the Secretary-General's statement would have to be added under section 15 of the proposed programme budget for the biennium 1994-1995 and an additional appropriation of $175,100 would be required under that section, subject to the guidelines for the use and operation of the contingency fund adopted by the General Assembly in its resolution 42/211.

18. It was so decided.

19. Mr. CHUINKAM (Cameroon), referring to the statement of programme budget implications of draft decision A/C.2/48/L.50/Rev.1, said that the United Nations had, since 1986-1987, included activities aimed at promoting development information systems under the section of the budget relating to the Economic Commission for Africa (ECA); financing for those activities, the bulk of which had come from the UNDP Regional Programme for Africa, had been discontinued in 1992.

20. His country had joined in the consensus on the understanding that the Secretary-General would deal once again with that matter once the ECA Conference of Ministers had considered the arrangements for 1994, as indicated in document A/C.5/48/53.

Programme budget implications of draft resolution A/C.2/48/L.70 concerning agenda item 154 (A/C.5/48/55)

21. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Advisory Committee had recommended deletion of the estimate of $3,600,000 proposed by the Secretary-General under section 2, United Nations integrated offices, for the reasons indicated in its report (A/48/7) pending the outcome of the deliberations of the Second Committee. Draft resolution A/C.2/48/L.70, adopted by the Second Committee, defined the field offices of the United Nations development system in the context of operational activities for development. The Secretary-General, in paragraph 2 of his statement, indicated the nine countries in which field offices of the United Nations development system would be established, and in paragraph 4 further indicated that the field offices established in the nine countries in question would carry out public information activities. An appropriation of $2,356,400 was being requested under section 24 in connection with those activities. The Advisory Committee was recommending an additional appropriation of that amount subject to the guidelines for the use and operation of the contingency fund, adopted by the General Assembly in its resolution 42/211. The Advisory Committee was also recommending an additional appropriation of $446,800 under section 28 (Staff assessment), to be offset by an increase of the same amount under income section 1 (Income from staff assessment).

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22. Responding to a question by the representative of the United States, he said that the Secretary-General was requesting an amount of $2,356,400 under section 24 to cover public information activities by the nine field offices in place of the amount of $3,600,000 which he had requested under section 2, United Nations integrated offices. Responding to a question by the representative of Cuba, he said that the Advisory Committee was of the view that the public information activities mentioned in paragraph 4 shculd be brought to the attention of the Committee on Information.

23. Mr. HALBWACHS (Programme Planning and Budget Division) confirmed the statement made by the Chairman of the Advisory Committee.

24. The CHAIRMAN proposed that, on the basis of the statement of programme budget implications and the recommendations of the Advisory Committee, the Fifth Committee should inform the General Assembly that, should it adopt draft resolution A/C.2/48/L.70, an additional appropriation of $2,356,400 would be required under section 24 of the proposed programme budget for the biennium 1994-1995, subject to the guidelines for the use and operation of the contingency fund adopted by the General Assembly in its resolution 42/211. In addition, he proposed that the Committee should inform the Assembly that an additional appropriation of $446,800 would be required under section 28 (Staff assessment), to be offset by the same amount under income section 1 (Income from staff assessment).

25. It was so decided.

26. Ms. CAIRNS (United Kingdom) said that her delegation had joined in the consensus on draft resolution A/C.2/48/L.70 because of the importance it attached to the establishment of the new field offices. However, in her view, the Department of Public Information already had ample financial and human resources at its disposal and those resources could be put to more rational use. Consequently, her delegation was very disappointed that the cost of the public information activities of the United Nations offices would not be absorbed within the existing appropriations for the Department of Public Information. In that connection, her delegation intended to scrutinize closely the relevant sections of the first programme budget performance report.

Programme budget implications of draft resolution A/C.2/48/L.88 concerning agenda item 106 (A/C.5/48/57)

27. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that, should the General Assembly adopt draft resolution A/C.2/48/L.88, no additional resources would be required under the regular budget and the activities of the United Nations Institute for Training and Research (UNITAR) relating to senior fellows and the other services indicated in paragraph 9 of the statement submitted by the Secretary-General (A/C.5/48/57) would be financed exclusively from voluntary contributions, donations, special-purpose grants and executing agency overheads.

28. The CHAIRMAN proposed that, on the basis of the statement of programme budget implications submitted by the Secretary-General and the recommendations of the Advisory Committee, the Fifth Committee should inform the General Assembly that, should it adopt draft resolution A/C.2/48/L.88, all logistical and administrative expenditures, including for supporting activities of the senior fellow, the provision of office space at Geneva and in New York and other support services, would be financed exclusively from voluntary contributions, donations, special-purpose grants and executing agency overheads, if such resources were available.

Programme budget implications of draft resolution A/C.2/48/L.24 concerning agenda item 98 (A/C.5/48/58)

29. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Secretary-General, in document A/C.5/48/58, had indicated that the preparatory work for the World Conference on Natural Disaster Reduction would require conference services estimated at $709,600 on a full-cost basis. The secretariat for the International Decade for Natural Disaster Reduction would require resources in an amount of $644,500, with $440,200 in respect of travel and daily subsistence costs of participants in the Conference. The statement of programme budget implications, in paragraph 8, indicated that the amount of $709,600 would be absorbed under section 25 of the proposed programme budget and that no additional resources would be required. The costs incurred by the secretariat and the travel costs would be met from extrabudgetary resources. Accordingly adoption of the draft resolution recommended by the Second Committee would not give rise to any additional appropriation.

30. The CHAIRMAN proposed that, on the basis of the statement of programme budget implications submitted by the Secretary-General and the recommendations of the Advisory Committee, the Fifth Committee should inform the General Assembly that, should it adopt draft resolution A/C.2/48/L.24, no additional appropriations would be required under the proposed programme budget for the biennium 1994-1995.

Programme budget implications of draft resolutions A/C.3/48/L.38, A/C.3/48/L.74/Rev.1 and A/C.3/48/L.85 concerning agenda items 114 (b) and (c) (A/C.5/48/46, A/C.5/48/47, A/C.5/48/61)

31. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that he would report on the three draft resolutions relating to human rights in one statement. With respect to the programme budget implications of draft resolution A/C.3/L.74/Rev.1, the General Assembly would urge the Secretary-General, within existing resources, to make all necessary resources available for the Special Rapporteur to carry out his mandate, in particular with respect to Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro). The estimated requirements of $740,300 would be met from voluntary contributions. Should draft resolution A/C.3/48/L.74/Rev.1 be adopted, no additional appropriation would be required under the programme budget for the biennium 1994-1995. The statement of the

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programme budget implications of draft resolution A/C.3/48/L.38 (A/C.5/48/46) and the statement of the programme budget implications of draft resolution A/C.3/48/L.85 (A/C.5/48/61) related to questions arising from the World Conference on Human Rights held in Vienna. The Secretary-General indicated that the increase in the resources for the Centre for Human Rights would allow it to discharge most of the mandates included under the Vienna Declaration, but also indicated that additional resources in an amount of $1,987,400 would be required.

32. Mr. KELLER (United States of America) requested clarification with regard to the information contained in document A/C.5/48/47, which suggested that the amount of $740,300 would be met from voluntary contributions. He would like the Controller to explain whether the costs would become a charge on the regular budget, should the necessary voluntary contributions not materialize. Secondly, he asked the Chairman of the Advisory Committee if the amounts approved at the current session were provisional. His delegation was prompted to ask that question because it believed it was important for the funding for activities in the area of human rights to be secured as soon as possible.

33. Mr. TAKASU (Controller) said that, in the case of draft resolution A/C.3/48/L.74/Rev.1, the General Assembly would request the Secretary-General to make all necessary resources available to carry out the proposed activities within existing resources. In paragraph 9 of document A/C.5/48/47, it was indicated that an amount of $740,300 would be required to carry out the request made in the draft resolution and paragraph 10 of the same document indicated the potential for absorbing the costs involved, taking into account the resources that were actually available.

34. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that it was a question of timing: the Advisory Committee had no objection to the Secretary-General's proposals regarding the resources required and did not think that the General Assembly should be prevented from adopting the resolution, in which connection the Assembly would be informed of the need for the amounts in question. Between January and April 1994 the Advisory Committee would inform the Fifth Committee of the actual appropriations required. The Advisory Committee would have preferred to have had a written report on the establishment of the post of United Nations High Commissioner for Human Rights since it was a new United Nations institution which would be in place for the time deemed appropriate by Member States, and it would be preferable to start on a sound footing, but if the Advisory Committee had waited for detailed information it could not have reported to the Fifth Committee at that meeting.

35. Ms. MONTAÑO (Bolivia) referring to paragraph 24 of document A/C.5/48/46, requested clarification concerning the assignment of one P-4 and one General Service staff member to perform work relating to indigenous populations. She wished to know whether the Advisory Committee might, in some future review, recommend any change in the projected requirements.

36. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that at no time had the Advisory Committee indicated that it would recommend a reduction in the estimates submitted by the Secretary-General. What had been stated was that the Advisory Committee had not evaluated the resource requirements and that, as a result of time constraints, it would examine them on a priority basis in 1994. Accordingly it would be premature to conclude that the Advisory Committee would recommend the deletion of the one or two posts referred to in the statement submitted by the Secretary-General.

37. The CHAIRMAN said that that important matter would have to be considered in different stages and invited delegations to comment on the statement of programme budget implications of draft resolution A/C.3/48/L.38 which was before the Committee (A/C.5/48/46).

38. Mr. FRANCIS (Australia) fully endorsed the financing proposed for the Vienna Declaration and Programme of Action. The problem faced by the Advisory Committee on Administrative and Budgetary Questions had not been one of time; rather it had been of a different nature, since the Advisory Committee had not succeeded in reaching agreement on the financing for human rights under the budget for 1994-1995 or on the proposal under discussion. He proposed that the Committee should move to informal consultations.

39. Ms. ROTHEISER (Austria) said that, like the Australian delegation, her delegation supported the total appropriation for the proposed activities. She regretted the misunderstandings which had arisen as a result of the procedure followed by the Secretariat in submitting the relevant documentation.

40. Mr. SPAANS (Netherlands) supported full funding for the proposed activities. He was surprised that, among the recommendations submitted to the Committee during the current session, none had concerned human rights. The order followed by the Secretariat in the submission of documents for the discussion was not clear; more attention should be paid to that matter in the future. He expressed his gratitude to the Advisory Committee, which had been required to reply to Secretariat proposals under extreme time constraints. It would be regrettable if, because of the Secretariat's inaction, misunderstandings that would be detrimental to all, including the Secretariat, should arise between the Fifth Committee and the Advisory Committee.

41. Ms. ERIKSSON FOGH (Sweden) said that her delegation was prepared to approve the Secretary-General's recommendations and to take an immediate decision; it supported the proposal to hold informal consultations to facilitate the process. She requested clarification whether the Advisory Committee was recommending that the Secretary-General should be authorized to enter into commitments and to spend the proposed amounts. She had the same question in respect of document A/C.5/48/61.

42. Mr. MILLER (Canada) supported the proposed funding for all the activities under consideration. It was of the utmost importance that all the activities, including those relating to the International Decade of the World's Indigenous People should receive adequate funding from the start of the Decade in

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January 1994. He also noted that the Advisory Committee had adopted the practice of referring directly to the General Assembly the Secretary-General's recommendations in the area of human rights; since it was expected that that practice would be followed again, the issue should be dealt with directly.

43. Mr. RAE (India) said that, although he supported the proposed activities, he believed that it was for the Advisory Committee to determine whether the proposed resources were adequate, for which it would require some time. His delegation agreed with the recommendation, but the prevailing opinion appeared to be that the Fifth Committee should take a final decision immediately and should not accept the provisional solution recommended by the Advisory Committee. His delegation was prepared to engage in informal consultations, but would prefer to adopt the report and recommendations and revert to the issue at the resumed session, when the Committee would have more time and the necessary information to consider the proposals in depth.

44. Mr. TEIRLINK (Belgium) supported the Secretary-General's recommendations without reservation. The projected resources were not at all excessive. His delegation believed that the Committee could take a decision at the current meeting.

45. Mr. KELLER (United States of America) fully supported the implementation of the resolutions under consideration and wished to ensure that all the proposed resources would be available as from 1 January 1994. For that reason, he would like the Committee to take a decision immediately and approve the Secretary-General's proposals. He agreed with the Chairman of the Advisory Committee that the documentation had been inadequate and had been received very late, but at times flexibility must be shown. Given the lack of time, it was of no advantage to either the Committee or the United Nations to continue postponing that issue.

46. Mr. ESKRIGGE (New Zealand) said that he supported the Vienna Declaration and Programme of Action and the requested funding.

47. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) assured the representative of Australia that section 21 of the budget had been discussed at great length in the Advisory Committee. Nevertheless, in view of the Advisory Committee's workload and time constraints, document A/C.5/48/46 had not been discussed or been the subject of a written report. The Advisory Committee had, rather, decided to inform the General Assembly that, should it adopt the draft resolution, an amount of $1,167,500 would be required. The actual additional appropriation would have to be considered by the General Assembly at a later stage.

48. The Fifth Committee was fully entitled to disagree with the Advisory Committee. Many delegations had stated their view that the Fifth Committee should not function as a body that rubber-stamped the recommendations of the Advisory Committee; that had never been the intention, and, should such a situation arise, it would be worrying. If the Fifth Committee now accepted the Secretary-General's proposal it would lighten the workload of the Advisory

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Committee since in the first half of 1994 ACABQ would need to consider a large number of documents delayed at the current session, such as those relating to the 17 peace-keeping operations. It thus seemed unnecessary to hold informal consultations, and the Chairman should invite the Fifth Committee to take a decision immediately, since further delay was not advisable. The Advisory Committee had not failed to consider the document because it related to human rights but because of a lack of time.

49. Mr. KELLY (Ireland) fully supported the Secretary-General's request and favoured taking a decision on the matter.

50. Mr. PRASODJO (Indonesia) said that he supported the human rights programme but wished to receive the Advisory Committee's recommendation before adopting a decision.

51. Mrs. EMERSON (Portugal) asked whether informing the General Assembly that, should the resolution be adopted, an additional appropriation of $1,167,500 would be required, was not tantamount to the General Assembly's acceptance of that amount, even without the concurrence of the Advisory Committee.

52. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that that would depend on the nature of the decision. When the plenary Assembly had before it a resolution involving estimates to be covered from the contingency fund, the General Assembly was asked to adopt the resolution and, subsequently, to consider the actual appropriations required. That procedure was quite normal and proper. The other case that arose was for the Assembly to adopt the proposal before it and also to authorize the additional appropriation. In such cases there was no need for subsequent consideration of the appropriation by the General Assembly. In the case before the Committee the Advisory Committee was recommending that the first procedure should be followed.

53. Mrs. EMERSON (Portugal) asked, if the draft resolution was adopted and the costs were charged to the contingency fund, whether the normal procedure would be followed or suspended, inasmuch as the Advisory Committee would not submit a report on the additional appropriations.

54. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that requirements met from the contingency fund would have to be dealt with later in the context of consideration of the fund. That would depend on when the Secretary-General's report was submitted, which, he trusted, would be before the end of the year. He wished to clarify that it was not yet clear whether the appropriations relating to the post of High Commissioner for Human Rights would be required with effect from 1 January 1994 even if they were approved there and then and the incumbent had been selected and the appropriate contract prepared. The post was completely new and the process of filling it could take six months.

55. Mrs. EMERSON (Portugal), supported by Ms. CAIRNS (United Kingdom) and Mr. ROSTING (Denmark), said that her delegation was still prepared to adopt the Secretary-General's proposal, given that it dealt with very important issues and activities that could not be postponed.

56. Mr. RAMOS (Spain) said that he appreciated the work of the Advisory Committee and recognized the difficulties it faced. He favoured the adoption of the report of the Secretary-General. He agreed with the delegations of Belgium and the United States that the Committee should take a decision immediately, rather than hold informal consultations that would be of no benefit.

57. Mr. TANG Guangting (China) said that, in the view of his delegation, the Committee should have before it a written report from the Advisory Committee in order to be able to take a decision.

58. Mr. MÜNCH (Germany), Mr. PERCEPT (France), Ms. GOICOCHEA (Cuba) and Mr. CAVAGLIERE (Italy) said that, in view of the volume of work of the Advisory Committee and the Fifth Committee itself, their delegations were prepared to adopt the Secretary-General's proposal without prior review of a written report.

59. Mr. ZEVELAKIS (Greece) said that his delegation was prepared to adopt the Secretary-General's proposal.

60. Mr. BARIMANI (Islamic Republic of Iran) said that his delegation would like to examine a written report from the Advisory Committee before taking a decision.

61. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that paragraph 24 of document A/C.5/48/46 indicated that, should the General Assembly adopt draft resolution A/C.3/48/L.38, it was estimated that an additional appropriation of $1,167,500 would be required under section 21 of the proposed programme budget for the biennium 1994-1995. The Committee had three options: to adopt the Secretary-General's proposal and conclude that there would be an immediate additional appropriation, to adopt the Secretary-General's proposal and conclude that any appropriation would be made in accordance with the guidelines for the use and operation of the contingency fund, or to follow the Advisory Committee's recommendation and conclude that the General Assembly should consider the possibility of additional appropriations once the Advisory Committee had reviewed the estimates submitted by the Secretary-General in the first half of 1994. It was his understanding that a large number of delegations had indicated a willingness to accept the Secretary-General's proposal that the appropriation should be treated in accordance with the guidelines for the use and operation of the contingency fund.

The meeting was suspended at 10 p.m. and resumed at 10.50 p.m.

62. The CHAIRMAN proposed, in accordance with the agreement reached in the informal consultations, that the Fifth Committee should inform the General Assembly that, should it adopt draft resolution A/C.3/48/L.38, additional requirements of $1,167,500 would arise under section 21 of the proposed programme budget for the biennium 1994-1995; that the Secretary-General would be authorized to enter into all commitments necessary within that amount for the purpose of implementing the activities called for in the draft resolution; and that the actual additional appropriations required, not exceeding that amount, would be considered by the General Assembly at the resumed forty-eighth session.

63. It was so decided.

64. The CHAIRMAN proposed that, on the basis of the statement of programme budget implications of draft resolution A/C.3/48/L.74/Rev.1 submitted by the Secretary-General (A/C.5/48/47) and the recommendations of the Advisory Committee, the Fifth Committee should inform the General Assembly that, should it adopt the draft resolution, no additional appropriation would be required under the programme budget for the biennium 1994-1995.

65. It was so decided.

66. Mr. KELLER (United States of America) said that he fully agreed with the decision taken, on the understanding that, as the Controller had explained earlier, the resolution would be implemented within the existing resources provided in the proposed programme budget for the forthcoming biennium.

67. The CHAIRMAN suggested that the Fifth Committee should inform the General Assembly that, should it adopt draft resolution A/C.3/48/L.85, additional requirements of $1,471,400 would arise under section 21 of the programme budget for the biennium 1994-1995; that the Secretary-General would be authorized to enter into all commitments necessary within that amount, for the purpose of implementing the activities called for in the draft resolution; and that the actual additional appropriations, not exceeding that amount, would be considered by the General Assembly at the resumed forty-eighth session.

68. It was so decided.

Programme budget implications of draft resolution A/C.3/48/L.40 concerning agenda item 172 (A/C.3/48/49)

69. The CHAIRMAN proposed that, on the basis of the statement of programme budget implications submitted by the Secretary-General and the recommendations of the Advisory Committee, the Fifth Committee should inform the General Assembly that, should it adopt draft resolution A/C.3/48/L.40, no additional appropriation would be required under section 21 of the programme budget for the biennium 1994-1995.

70. It was so decided.

Revised estimates under section 3B, Department of Political Affairs I (A/C.5/48/39)

71. The CHAIRMAN drew the Committee's attention to the report of the Secretary-General.

72. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) presented the Advisory Committee's report. The Advisory Committee recommended acceptance of the Secretary-General's proposals contained in document A/C.5/48/39.

73. The CHAIRMAN proposed that the Fifth Committee should recommend to the General Assembly that it approve the revised estimates submitted by the Secretary-General in his report, in the amount of $419,000, relating to subsection 3B of the proposed programme budget for the biennium 1994-1995, for the servicing of the sanctions committees established by the Security Council, on the understanding that those requirements should be dealt with in accordance with paragraph 11 of annex I to General Assembly resolution 41/213.

74. It was so decided.

75. Mr. DAMICO (Brazil) said that in recent years the Security Council had increasingly resorted to the imposition of sanctions under Chapter VII of the Charter for the purpose of maintaining international peace and security. Those exceptional measures, however, not only affected the disputing parties but also had grave economic consequences for third States, such as unemployment and the disruption of trade. With regard to Article 50 of the Charter, several solutions to the special economic problems arising from Security Council measures were being explored. In the meantime, until a solution was found, the best course was to ensure that the sanctions committees functioned effectively. Brazil, which had held the chairmanship of the Security Council Committee established pursuant to resolution 724 (1991), could attest to the enormous workload of the small but dedicated Secretariat staff assigned to those activities. He therefore supported the Secretary-General's proposal, as endorsed by the Advisory Committee.

76. Mr. DIMOV (Bulgaria) said that on various occasions his delegation, among others, had pointed out the need to strengthen the sanctions committees. In his view, the revised estimates under section 3 were very timely and appropriate; he hoped that strengthening the sanctions committees would have a rapid and constructive effect on their work and speed up the review and approval of applications from Member States.

77. Mr. HOUMENNY (Ukraine), Mr. MIHAI (Romania) and Mr. NAGY (Hungary) endorsed the views expressed by the previous speakers.

Revised estimates under sections 25 and 31, Office for Inspections and Investigations (A/C.5/48/42)

78. The CHAIRMAN drew the Committee's attention to the report of the Secretary-General.

79. Mr. NIAZI (Assistant Secretary-General for Inspections and Investigations), introducing the documents setting out the functions and proposed budget of the new Office for Inspections and Investigations (A/48/640 and A/C.5/48/42), said that the establishment of the Office was a sign of the steps being taken by the Organization towards greater managerial responsibility and a greater emphasis on accountability.

80. In all its activities, the new Office would bear in mind the need to adopt decisive measures to bolster the trust of Member States. With regard to its independence, the Office must be considered part of the system of internal control of the Organization, for which the Secretary-General bore primary responsibility. The Office was an integral part of the Secretariat, would report to the Secretary-General, and would act in conformity with the financial, staff and programme planning regulations established by the General Assembly and the corresponding rules developed by successive Secretaries-General as chief administrative officers of the United Nations. It was, however, completely independent of all the substantive and administrative offices for which the Secretary-General was responsible. It was completely independent in the conduct of its duties and responsibilities, and had the authority to initiate any audit, inspection or investigation without any hindrance or need for prior clearance.

81. The decision to consolidate the oversight functions of the Organization in a new office had given rise to three principal changes. First, the chain of communication between the oversight units and the Secretary-General had been reduced. The new Office reported directly to the Secretary-General, with the result that the line of communication between those responsible for oversight functions and the chief administrative officer of the Organization was drastically shortened. Accordingly, after a very few months, the work of auditing as well as the evaluation of the start-up phase of peace-keeping could be conducted in a more effective and intensive manner than before.

82. Under the former arrangement, the Internal Audit Division had certain investigative powers that the Central Monitoring Unit, the Central Evaluation Unit and the Management Advisory Services lacked. With their merger into the new Office, those powers had been granted to those units also.

83. Before the establishment of the Office, all those units had been part of the Department of Administration and Management, which had been an anomalous situation. With the new reporting arrangements, the Department, which represented a significant portion of the Organization's budgetary expenditures, would be reviewed like all other departments and offices.

84. The Office would follow a procedure of submitting its findings to the appropriate official at the division or department level and ask for the correction of any errors referred to in the findings. Responses to the Office's recommendations or alternative suggestions from departments must always contain commitments for action by specific dates in order to facilitate the Office's efforts to ensure compliance.

(Mr. Niazi)

85. The Office had already increased emphasis in audit work on recovery of funds that the Organization had overpaid to contractors or that related to other types of losses. He was happy to report that some significant success had been achieved in that area.

86. He wished to publicly commit himself to stressing, in all the work of the Office, compliance with decisions by official bodies and consequent emphasis on the personal accountability of senior officials in carrying out mandated requests and recommended action. In addition, he would insist on due process in all of the Office's operations in accordance with the rules, regulations and practices of the Organization.

87. With regard to the manner in which the Office would report to Member States, he said that first there would be an annual report summarizing the findings and recommendations set forth in the reports of the Office over the course of the previous year. That would be a report of the Secretary-General on the work of the Office and it would be submitted directly as an official document to the General Assembly. The second method of reporting to the General Assembly would be through the Board of Auditors, which would receive copies of all final reports produced by the Office at the same time that they were distributed to heads of departments or offices. The Board would also be given copies of all responses from departments and offices as soon as they were received by the Office for Inspections and Investigations. The Board of Auditors could inform the General Assembly and its specialized subsidiary bodies on any issue, including comments on the effectiveness of the Office.

88. By and large, the emphasis in the audits, inspections and investigations to be conducted by the Office would deal primarily with managerial difficulties, waste and irregularities within the organizational units under the responsibility of the Secretary-General. The concern on the part of the Office that the reports should be treated with some discretion was due to the fact that those reports, which would focus on shortcomings and would not present a balanced view of the Organization, could be misinterpreted or used for malicious purposes if they were given public circulation.

89. With regard to relations with Member States in the Committee for Programme and Coordination (CPC), mandated studies in the areas of evaluation and performance monitoring would be completed by the Office and submitted to CPC as reports of the Secretary-General, as in previous years and in accordance with CPC guidelines and established practice. In addition, CPC would be informed of plans for evaluations by the Office under the categories set forth in paragraph 12 of document A/48/640 and would then be in a position to formulate any recommendations on evaluation that it wished to make to the General Assembly.

90. Concern had been expressed that the evaluations that the Office intended to undertake on its own initiative might in some manner impinge on the prerogatives of Member States. He assured delegations that the Office would not question the merits of policy objectives and that its concern was how well those objectives

were implemented. The Office would bear in mind at all times the distinction that had been made in CPC between two separate categories of recommendations, namely those that fell within the scope of responsibility of the Secretary-General as the chief administrative officer and those that required the concurrence and action of Member States.

91. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that document A/C.5/48/42 indicated that the resources required for the Office for Inspections and Investigations would amount to $11,941,700, excluding the amount of $320,300 in respect of the post of Assistant Secretary-General for Inspections and Investigations. It was proposed that the first amount, relating to the objects of expenditure referred to in paragraphs 22 to 31 of the Secretary-General's report, should be redeployed from subsections 25A, 25B and 25G to a new section 31 relating to the Office for Inspections and Investigations (para. 32). It was the Advisory Committee's understanding that the General Assembly had yet to take any decision regarding establishment of the Office in view of which it was drawing attention to the fact that, should the proposal be adopted, a post at the Assistant Secretary-General level would need to be provided for.

92. Mrs. SHENWICK (United States of America) asked what decision was being considered - the decision to transfer resources to the new budget section or that to set up the Office.

93. Mr. BOIN (France) said that his delegation welcomed the establishment of the Office for Inspections and Investigations, since that was a first step towards establishing a real monitoring unit, which would help strengthen the work of the United Nations in that field, in direct contact with the Secretary-General. He was somewhat concerned about the increased investigatory powers, which should be entrusted to other units. His delegation had taken the initiative to provide the Organization at last with an impartial legal mechanism that would deal with cases of alleged fraud and make it possible to respect the rights of all to defend themselves. For that reason, it was gratifying to support the establishment of the Office in the hope that all the legal guarantees and the rights of the Organization and of individuals would be respected.

94. Mr. ORR (Canada) welcomed the improved functioning of the United Nations internal auditing and the mechanisms for submitting reports, at the suggestion of the Board of Auditors. Nevertheless, the Board had put forward a number of recommendations on improving internal auditing which did not seem to have been dealt with in the report of the Secretary-General (A/C.5/48/42) and, for that reason, his delegation wished to receive more information on that subject. In addition, he had certain misgivings about dealing with those problems once they had arisen, instead of preventing them by improving the systems and practices currently in use. Furthermore, he expressed concern about the possibility of delegating administrative responsibilities to those offices, a point on which the Board of Auditors was in disagreement, since, if they carried out such functions and participated in the taking of administrative decisions, instead of

(Mr. Orr, Canada)

limiting themselves to an advisory capacity in the field, they would not have the independence necessary for evaluating those decisions subsequently. With regard to the resources allocated for that function, the document did not clearly indicate the resources earmarked for each of the activities and his delegation wished to receive more information in that regard.

95. Mr. FONTAINE (Cuba) said that the strengthening of internal control was a priority and urgent activity of the United Nations. Although his delegation would have preferred to follow the usual procedures for establishing the Office for Inspections and Investigations, it fully supported the reason for establishing it. With respect to the note by the Secretary-General on the Office (A/48/640), his delegation wished to know, in the first place, who had taken the decision referred to in paragraph 3 and when it had been taken. He also wondered what duplication of effort was referred to in paragraph 5, if it was planned that the Office, unlike the Board of Auditors and the Joint Inspection Unit, would carry out internal control and monitoring functions. With regard to paragraph 12, he wished to know who should re-examine United Nations programmes and their intergovernmental mandates if not Governments themselves. Referring to the same paragraph, he also inquired who had the task of deciding whether programmatic or administrative practices were relevant. Lastly, his delegation did not understand the meaning of paragraph 6 and paragraph 12 (d) and (e) of document A/48/640. Accordingly, he felt that those inspection functions should be explained in detail before a decision was taken on them.

96. Mr. SPAANS (Netherlands) said that, like the United States representative, he, too, would appreciate an explanation of the type of decision which the Committee was being asked to take on the issue. His country attached great importance to the distinction between external and internal controls. It believed that efforts should be made to improve the functioning of external oversight mechanisms, such as the Board of Auditors and the Joint Inspection Unit, rather than to establish new ones. It was clear that the proposed Office for Inspections and Investigations would be an internal oversight mechanism with as much independence as possible. In view of the environment in which the Office would operate, his delegation would have preferred to establish a system of responsibility and accountability for programme managers before setting up an inspection and investigation mechanism. While the Office would enable violations committed within the Secretariat to be detected, it would not offer the advantages of an established system of responsibility and accountability for programme managers. For that reason, his delegation was concerned that the Office would operate in a vacuum, and that programme managers who did not have clear rules to guide them might commit violations without being fully aware of doing so. While he welcomed all activities aimed at improving resource management, the tone of document A/C.5/48/42 had not helped to alleviate his concern on that score. Like the Canadian representative, he believed that stress was being laid on rectifying errors a posteriori. His delegation hoped that, in the future, the Secretariat would place greater emphasis on preventive measures, especially with regard to general management and that the topic could be explored more thoroughly at another time.

97. Mr. CLAVIJO (Colombia) said that any decision taken on the issue would need to refer to what had been decided on the previous day with regard to draft resolution A/C.5/48/L.6 and, in particular, to paragraphs 9 and 11 of part II, which were connected with the item under consideration. From a procedural standpoint, the initiative taken by the Secretary-General in establishing the Office for Inspections and Investigations should be examined in the light of those paragraphs of the draft resolution. Moreover, it was clear that some delegations had substantive concerns, and that there was insufficient time to review the item and to reply to the questions which had been raised. Accordingly, he proposed the adoption of an approach similar to the one taken in connection with the item on human rights, so that a decision could be adopted, at least on a provisional basis.

98. The CHAIRMAN said that, with regard to the decision-making procedures, the Committee should approve the resources for the Office for Inspections and Investigations which were set out in the report of the Secretary-General (A/C.5/48/42), and to which the Chairman of the Advisory Committee had referred.

99. Ms. SHENWICK (United States of America) said that her Government viewed the establishment of the Office for Inspections and Investigations as a priority; however, in view of the issues raised by the report of the Secretary-General and by some delegations, she wondered whether it might be appropriate to postpone taking a decision on the matter until the resumed forty-eighth session, so that the issues could be analysed in the light of the resolution adopted on the previous day. While it might perhaps be useful to approve the transfer of resources between sections to the new budget section, it seemed unlikely that much further progress could be made on the question at the time.

100. Mr. FONTAINE (Cuba) said that it was necessary to take a procedural decision, which could, for example, be to approve transfers between sections to the new section 31 of the budget, a decision which would not have financial implications and which would be a sensible measure. The second decision could be to approve, on a provisional basis, the current arrangements relating to the post of Assistant Secretary-General for Inspections and Investigations. Lastly, the Committee could decide to analyse the functions and structure of the Office at the resumed forty-eighth session.

101. Mr. RAE (India) welcomed the Secretary-General's efforts to strengthen the internal oversight mechanisms; that was the Secretary-General's function, as the Organization's highest administrative officer. With regard to the proposals submitted, he noted that, with the exception of the post of Assistant Secretary-General, all that was at issue was redistributing resources between budget sections, and that there would be no additional financial implications; accordingly, he had no objections to authorizing the transfer of resources. The provisions relating to the post of Assistant Secretary-General should remain in force until the resumed forty-eighth session, without prejudice to other decisions which might be taken at that time. His delegation supported the basic elements of the Cuban proposal, which seemed very pertinent and urged the adoption of a decision on the matter.

102. Mr. STÖCKL (Germany) said that his delegation also welcomed the establishment of the Office, which responded to numerous concerns raised in the previous year, both in the Fifth Committee and in the Committee for Programme and Coordination. The mandates of the Office were clear; it combined mandates already existing under the responsibility of the Secretary-General. All questions relating to agenda item 121 would be discussed at the resumed session, and the future of the Office would be clearly defined. He agreed with the representative of Cuba that, for the time being, it was necessary to take a decision and to approve the transfer between sections to the new Office and the post of Assistant Secretary-General.

103. Mrs. EMERSON (Portugal) welcomed the establishment of the Office, which responded to many wishes and concerns expressed in the past. She supported the transfer of resources from section 25 to section 31 of the programme budget and endorsed the Cuban proposal, on the understanding that, in the United Nations, nothing could be more permanent than something that was approved on a provisional basis.

104. Mr. ELZIMAITY (Egypt) said that he joined the previous speakers in supporting the Cuban proposal, as it was the easiest solution; in his view, there was a need to support the Office, so that it could begin operating on a sound footing and could assume its responsibilities. He agreed, therefore, to the transfer of funds from section 25 to section 31 of the programme budget.

105. Mr. TANG Guanting (China) said that he supported the suggestions made by the delegations of Portugal, Germany and Cuba.

106. Mr. CHUINKAM (Cameroon) said that he agreed with the Portuguese representative.

The meeting was suspended at 12.13 a.m. and resumed at 12.53 a.m.

107. The CHAIRMAN said that, if he heard no objections, he would take it that the Committee wished to adopt the decision on which agreement had been reached during informal consultations, namely, to recommend that the General Assembly approve the proposals of the Secretary-General in paragraph 32 of his report (A/C.5/48/42) regarding the redeployment of resources from section 25, and decide to continue the current arrangements, as contained in the Secretary-General's report, pending a review of the issue at its resumed forty-eighth session.

108. It was so decided.

109. Ms. SHENWICK (United States of America), explaining her delegation's position on the decision just adopted, said it was to be hoped that, in the next few months, Member States would be united on the question of establishing an independent entity responsible for inspections, audits, investigations and monitoring of compliance; that would improve the accountability and efficiency of the United Nations.

The meeting rose at 12.57 a.m.